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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

PLANNED PARENTHOOD FEDERATION
 OF AMERICA, INC., et al.,

Plaintiff,

vs.

CENTER FOR MEDICAL PROGRESS, et al.,

Defendants.

Case No. 3:16-cv-00236-WHO

**DECLARATION OF MAITHREYI
 RATAKONDA IN SUPPORT OF
 PLAINTIFFS' MOTION FOR
 ATTORNEYS' FEES**

Date: November 18, 2020

Time: 2:00 p.m.

Place: Courtroom 2, 17th Floor

Judge: Hon. William H. Orrick

1 I, Maithreyi Ratakonda, declare:

2 1. I am an attorney licensed to practice law in the State of New York and a Senior
3 Staff Attorney in the Public Policy, Litigation, and Law (“PPL&L”) department at Planned
4 Parenthood Federation of America (“PPFA”). I make this Declaration upon personal
5 knowledge, except as otherwise stated, and, if called upon to testify, could and would testify
6 competently hereto.

7 2. In 2006, I graduated *magna cum laude* with a B.A. from Georgetown
8 University. In 2011, I graduated with honors from Columbia Law School, where I was the
9 Executive Articles Editor of the *Columbia Law Review* and a recipient of the merits-based
10 Hamilton Scholarship. After law school, I clerked for the Hon. Robert N. Chatigny, U.S.
11 District Court for the District of Connecticut, and then the Hon. Dolores K. Sloviter, U.S.
12 Court of Appeals for the Third Circuit.

13 3. I have been an attorney at PPFA since August 2013. Planned Parenthood is the
14 nation’s largest provider of reproductive health care services, including abortion services.
15 PPL&L attorneys provide legal advice to both the national organization, PPFA, and to Planned
16 Parenthood affiliates on public policy issues that affect the mission of the organization.
17 PPL&L also conducts and participates in litigation in state and federal courts throughout the
18 country on behalf of its affiliates to protect access to Planned Parenthood’s health services and
19 advance Planned Parenthood’s mission.

20 4. As an attorney at PPL&L, I devote the majority of my time to conducting
21 litigation challenging state and federal laws or other regulatory actions that restrict access to
22 abortion or other health-care services provided at Planned Parenthood health centers. My
23 responsibilities are national in scope. I have litigated at the trial and appellate levels, and in
24 federal and state courts across the country. I have litigated cases from the initial stages of
25 preparation through motion practice, discovery, trial, and post-trial motions. I have also
26 presented oral argument and briefing at the federal appellate level and drafted briefs
27 submitted to the United States Supreme Court and state supreme courts.
28

1 5. In my more than seven years at PPL&L, I have served as lead counsel or co-
2 counsel on numerous cases challenging laws or policies that restrict access to reproductive
3 health care. *See, e.g., Adams & Boyle, P.C. v. Slatery*, 956 F.3d 913 (6th Cir. 2020); *Little*
4 *Rock Family Planning Servs. v. Rutledge*, 397 F. Supp. 3d 1213 (E.D. Ark. 2019); *Bryant v.*
5 *Woodall*, 363 F. Supp. 3d 611 (M.D.N.C. 2019); *Planned Parenthood of the Heartland v.*
6 *Reynolds*, 915 N.W.2d 206 (Iowa 2018); *Planned Parenthood of Arkansas & Eastern*
7 *Oklahoma v. Jegley*, 864 F.3d 953 (8th Cir. 2017); *Planned Parenthood of Greater Orlando,*
8 *Inc. v. MMB Properties*, 211 So. 3d 918 (Fla. 2017); *Planned Parenthood Se., Inc. v. Strange*,
9 33 F. Supp. 3d 1330 (M.D. Ala. 2014).

10 6. I have also been a committee chair of the Reproductive Rights and Women's
11 Health Committee of the New York Women's Bar Association. And I have presented on the
12 reproductive rights legal landscape to numerous professional and lay audiences, including at
13 law schools.

14 7. Due to my familiarity with PPFA and Planned Parenthood affiliates' operations,
15 as well as my involvement in responding to the Congressional investigations that resulted from
16 the release of Defendants' videos—which included overlapping subject matter with this
17 litigation—I have been involved in this matter since Plaintiffs began preparing to file this case.
18 I met or spoke to attorneys from Arnold & Porter several times during this period. I also
19 extensively reviewed PPFA documents being prepared for production prior to 2019. However,
20 as an exercise of billing judgment, Plaintiffs are not requesting fees for the time I spent on this
21 case prior to January 2019.

22 8. I became more substantively involved in this matter starting in January 2019 as
23 Plaintiffs began to prepare for depositions and trial. My work on the case starting in January
24 2019 included the following.

25 9. Document production: I reviewed the production of PPFA documents. Because
26 of my work responding to the Congressional investigations, which involved the production of
27 tens of thousands of pages of PPFA and affiliate documents, I was familiar with both the
28

1 documents that were potentially relevant in this case. I also reviewed documents to ensure that
2 identifying, irrelevant, or privileged information was properly redacted.

3 10. Depositions: Because of my familiarity with PPFA's operations, as well as my
4 work responding to the Congressional investigations, I was involved in the deposition
5 preparation of PPFA witnesses, including 30(b)(6) witnesses (Franklin Rosado, Krista Noah,
6 Brandon Minow) and PPFA fact witnesses (Deborah VanDerhei, Emily Schiffrin, Julia Kohn). I
7 located relevant documents and information and contributed to witness outlines and strategy
8 discussions. I also attended the depositions. I was the only attorney from PPFA who helped to
9 prepare PPFA witnesses and attended their depositions. As an exercise of billing judgment,
10 Plaintiffs are not seeking fees for the time I spent traveling for and attending depositions.

11 11. Summary Judgment: I reviewed various drafts of summary judgment briefing
12 and made edits to the briefing, as well as participated in strategy discussion regarding the
13 briefing.

14 12. Pre-trial work: Prior to trial, I participated in strategy sessions with counsel
15 regarding witness selection—particularly regarding PPFA witnesses—witness order, and
16 documents to be used at trial. I also worked with PPFA staff, Arnold & Porter staff, and PPFA
17 witnesses on logistics regarding the trial.

18 13. Trial: I attended a significant portion of the trial, particularly when PPFA
19 witnesses, or other key Plaintiff or Defendant witnesses testified. I also helped to prepare PPFA
20 and some affiliate witnesses for trial, including reviewing relevant documents and contributing
21 to witness outlines and strategy discussions. I was involved in strategy discussions regarding
22 opening and closing statements and other aspects of the trial, ensuring that PPFA's interests
23 and perspective were represented. I was the only PPFA attorney in attendance at trial and trial-
24 related preparation. Plaintiffs are not seeking fees for the time I spent traveling for and
25 attending the trial.

26 14. The attorneys at PPL&L maintain contemporaneous time records through an
27 online timekeeping program, CaseFox. In the ordinary course of business, attorneys prepare
28 and enter their time into a time recording database. As a matter of regular practice, attorneys

1 enter their time at or near the time that they perform their work. Time records are maintained
2 both on a client/matter basis and on an individual biller basis.

3 15. My individual time records for this matter, based on the entries in CaseFox,
4 reflect that from January 28, 2019 to November 18, 2019, excluding the categories of time for
5 which Plaintiffs are not seeking fees as discussed above, I billed 240.7 hours to this matter. Of
6 this time, I spent 103.4 hours on discovery-related aspects of the case, 16.2 hours on summary
7 judgment, 20.4 hours on pre-trial work, and 100.7 hours during the trial.

8 16. In addition to the time that I spent on this case, others at PPFA also devoted
9 significant time to this matter. In particular, Helene Krasnoff was involved in this case from
10 its inception to the present; she regularly participated in strategy calls as well as reviewing
11 virtually all of the briefing and much of the discovery materials. Roger Evans also was
12 regularly consulted about the strategy of this case from the time Defendants' wrongful
13 conduct came to light all the way through final judgment.

14 17. Ms. Krasnoff is the Vice President for PP&L. Ms. Krasnoff received a Bachelor
15 of Arts degree from Duke University in 1992, and in 1997, she graduated with honors from
16 the University of Michigan Law School. After law school, she became associated with the
17 law firm of Arnold & Porter in Washington, DC where she litigated cases in federal courts,
18 state courts, and administrative tribunals.

19 18. In 2000, Ms. Krasnoff joined PPL&L as a Staff Attorney and has since served
20 as a Senior Staff Attorney, Assistant Director, Senior Director and now, Vice President. At all
21 times, her job responsibilities have included directly litigating and/or supervising more junior
22 attorneys conducting federal and state court challenges to laws and regulations which burden
23 access to reproductive health care. Her responsibilities are national in scope.

24 19. In her more than 20 years at PPFA, Ms. Krasnoff has served as lead counsel,
25 co-counsel, and/or supervisor in dozens of cases challenging laws or policies that restrict
26 access to reproductive health care. *See, e.g., Gonzales v. Carhart*, 550 U.S. 124 (2007);
27 *Planned Parenthood of Arkansas & Eastern Oklahoma v. Jegley*, 864 F.3d 953 (8th Cir.
28 2017); *Planned Parenthood Arizona, Inc. v. Humble*, 753 F.3d 905 (9th Cir. 2014); *Planned*

1 *Parenthood of Greater Texas Surgical Health Services v. Abbott*, 734 F.3d 406 (5th Cir.
 2 2013); *Planned Parenthood Southwest Ohio Region v. DeWine*, 696 F.3d 490 (6th Cir. 2012);
 3 *Planned Parenthood Ass'n of Hidalgo County Texas, Inc. v. Suehs*, 692 F.3d 343 (5th Cir.
 4 2012); *Planned Parenthood of Minnesota/South Dakota v. Rounds*, 372 F.3d 969 (8th Cir.
 5 2004); *Planned Parenthood of Idaho v. Wasden*, 376 F.3d 908 (9th Cir. 2004).

6 20. Roger Evans is a graduate of the New York University School of Law (J.D.
 7 1973) and from 1977 to 1983, he was the Managing Attorney of MFY Legal Services, the
 8 legal services program located in Manhattan, and the first legal services program in this
 9 country. Mr. Evans joined PPFA in 1983 and led PPL&L until Ms. Krasnoff became Vice
 10 President in 2014. In his decades at PPFA, Mr. Evans too was responsible for conducting and
 11 supervising litigation nationwide, including participating as a lead or co-counsel in many
 12 cases in the U.S. Supreme Court concerning reproductive rights. *See, e.g., Webster v.*
 13 *Reproductive Health Services*, 492 U.S. 490 (1989); *Ohio v. Akron Center for Reprod.*
 14 *Health*, 497 U.S. 502 (1990); *Rust v. Sullivan*, 500 U.S. 173 (1991). He has been in a
 15 supervisory or co-counsel position on approximately over 100 civil rights actions at all levels
 16 of the federal courts and has advised others and participated indirectly in over approximately
 17 100 additional cases.

18 21. Given their decades of experience with PPFA, their familiarity with the
 19 operation of Planned Parenthood health centers, and their extensive experience presenting
 20 issues related to Planned Parenthood to state and federal courts, both Ms. Krasnoff and Mr.
 21 Evans played a critical role in this case's strategy. Although together they devoted hundreds
 22 of hours to this matter over the more than four-year span of this case, as an exercise of billing
 23 judgment, Plaintiffs are not requesting fees for their time despite that they would be entitled
 24 to reimbursement for their time.

25 I declare under penalty of perjury under the laws of the United States of America that
 26 the foregoing is true and correct. Executed this 8th day of September, in Brooklyn, New York.

27
 28 /s/ Maithreyi Ratakonda
 Maithreyi Ratakonda

ECF ATTESTATION

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the signatory.

Dated: September 18, 2020

/s/ Steven L. Mayer
Steven L. Mayer